

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

MATTHEW ALBIAN ALARCON,

Plaintiff,

v.

No. Civ. 15-380 RB/SCY

MIKE HEREDIA,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE’S PROPOSED FINDINGS AND  
RECOMMENDED DISPOSITION**

**THIS MATTER** is before the Court on Magistrate Judge Steven C. Yarbrough’s August 25, 2016 Proposed Findings and Recommended Disposition (“PFRD”) advising that the Court grant in part Defendant Mike Heredia’s motion to dismiss (ECF No. 10). ECF No. 12. The parties have not filed objections to the PFRD, thereby waiving their rights to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1059-60 (10th Cir. 1996). Furthermore, upon review of the record, the Court concurs with the Magistrate Judge’s findings and recommendations.

**IT IS THEREFORE ORDERED THAT:**

1. The Magistrate Judge’s Proposed Findings and Recommended Disposition (ECF No. 12) is ADOPTED.
2. Plaintiff’s claim for monetary damages and declaratory relief arising from the wrongful deprivation of good-time credits is dismissed without prejudice.

  
UNITED STATES DISTRICT JUDGE